

I. INTRODUCTION

- A. Purpose: To provide requirements for the use, sale, manufacture, or transport of "Safe and Sane" fireworks through the consolidation of State and County codes and regulations.
- B. Scope: Any individual or organization that engages in the use, sale, manufacture, or transport of "Safe and Sane" fireworks is subject to this regulation. This regulation specifically addresses "Safe and Sane" class fireworks. This regulation does not address other State Fire Marshal classified fireworks and pyrotechnic devices. These include "Dangerous", "Agriculture/Wildfire", "Model Rocket", "Emergency Signaling Devices", "Exempt", "Party Poppers", "High Power Rocket Motors", and "Snap Caps/Snappers". Individuals and organizations using other classes of fireworks must comply with all laws pertaining to their handling and use.
- C. Author: The Deputy Chief of the Prevention Services Bureau, through the Assistant Fire Chief (Fire Marshal) of the Fire Prevention Division, is responsible for the content, revision, and periodic review of this regulation.
- D. Definitions:

FIREWORKS: Any device containing chemical elements and chemical compounds capable of burning independently of the oxygen of the atmosphere and producing audible, visual, mechanical, or thermal effects which are useful as pyrotechnic devices or for entertainment. The term "fireworks" includes, but is not limited to, devices designated by the manufacturer as fireworks, torpedoes, skyrockets, roman candles, rockets, Daygo bombs, sparklers, party poppers, paper caps, chasers, fountains, smoke sparks, aerial bombs, and fireworks kits. CA H.S.C. Title 19 Sec 12511

SAFE AND SANE: Any fireworks which do not come within the definition of "dangerous fireworks" or "exempt fireworks." CA H.S.C. Title 19 Sec 12529

EXEMPT FIREWORKS: Any special item containing pyrotechnic compositions which the State Fire Marshal, with the advice of the State Fire Advisory Board, has investigated and determined to be limited to industrial, commercial, agricultural use, or religious ceremonies when authorized by a permit granted by the authority having jurisdiction. CA H.S.C. Title 19 Sec 12508

DANGEROUS FIREWORKS: See Appendix

SNAP CAPS AND PARTY POPPERS: Classified by the SFM as a “pyrotechnic device” in accordance with state fireworks laws and regulations. These pyrotechnic devices should not be confused with other fireworks devices such as “Dangerous Fireworks” or “Safe and Sane Fireworks” within the same laws and regulations. These devices are not regulated as “Dangerous Fireworks” or “Safe and Sane Fireworks”. In absence of a local ordinance specifically prohibiting the sale, possession, and/or use by the public of any “Party Popper” and “Snap Cap”, these products cannot be prohibited from sale or use throughout California. SFM Bulletin dated 06-24-03

- E. Authority: The State of California Health and Safety Code (H.S.C.) Title 19 Division 11, Part 2, Chapters 1-4; and the County of Los Angeles Fire Code, Title 32 (FC).
- F. Appendix: Definition of “Dangerous Fireworks”

II. RESPONSIBILITY

- A. All individuals or organizations who manufacture, import, export, possess, use, sell, or transport "Safe and Sane" class fireworks in the County of Los Angeles are responsible for compliance with this regulation.

III. POLICY

- A. "Safe and Sane" fireworks safety is extremely important in the County of Los Angeles. Fireworks pose a dangerous source of ignition to structures and vegetation within the County. The County of Los Angeles Fire Department will strictly enforce laws which deal with the safe, manufacture, transport, handling, sale and use of "Safe and Sane" fireworks.

IV. PROCEDURES

- A. Permits: No person shall do any of the following without first securing a permit. H.S.C. 12640, FC 7801.3:

1. Manufacture, import, export, store, sell at wholesale and retail "Safe and Sane" fireworks and transporting "Safe and Sane" fireworks, except that a transportation permit shall not be required for "Safe and Sane" fireworks possessed by retail licensees. H.S.C. 12640(b), FC 7801.3.1.1
 2. Make a public display of fireworks. (T19 993.2, FC 7801.3.1.2, LACFD Reg. #13)
- B. Use: All types of fireworks are illegal to store, use or handle in the County of Los Angeles except as allowed in Article 77 (Explosive) and for public displays set forth in the Fire Code, Section 7802.4. Incorporated cities may allow handling and use of "Safe and Sane" fireworks within their jurisdiction. Dates, times, locations, and conditions set by each city through municipal codes and ordinances may be used to limit "Safe and Sane" fireworks use.
- C. Labeling: All fireworks, before being imported, exported, sold, or offered for sale, shall be classified by the State Fire Marshal and bear the State Fire Marshal label of registration, classification and firing instructions. H.S.C. 12560, T19-986, T19-988, T19-988.3
- D. Retail Sales: No person shall sell or transfer "Safe and Sane" fireworks to a consumer or user other than at a fixed place of business of a retailer for which a license and permit have been issued. H.S.C. 12681
- E. Fireworks Subject to Seizure:
1. The chief is authorized to seize, take, remove or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored, or held in violation of Article 78 of the Fire Code (FC 7802.2).
 2. Fireworks sold, offered for sale, possessed, stored, used or transported within this state prior to having been examined, classified, and registered by the State Fire Marshal. Specific items designated as samples pending examination, classification, and registration by the State Fire Marshal where the license provides documentary evidence that such action by the State Fire Marshal is pending are exempt. H.S.C. 12722
 3. All imported fireworks possessed without benefit of the filing of notices as required by this part. H.S.C. 12722
 4. "Safe and Sane" fireworks stored in violation of the conditions required by the permit as required by this part. H.S.C. 12722
 5. "Safe and Sane" fireworks sold or offered for sale that do not bear

the State Fire Marshal label of registration and firing instructions.
H.S.C. 12722

6. "Safe and Sane" fireworks sold or offered for sale at retail which are in unsealed packages or containers which do not bear the State Fire Marshal label of instruction and firing instructions. H.S.C. 12722
7. "Safe and Sane" fireworks sold or offered for sale at retail before 12 noon on the 28th day of June or after 12 noon on the 6th day of July of each year. H.S.C. 12722
8. "Safe and Sane" fireworks items sold or offered for sale at retail which do not have a fuse or other igniting device protected by a cap approved by the State Fire Marshal. Groups of fireworks with exposed fuses that are not enclosed in sealed packages that bear the State Fire Marshal label of registration. The State Fire Marshal shall approve such caps as he determines (will) provide reasonable protection from unintentional ignition of the fireworks. H.S.C. 12722
9. Dangerous fireworks, including firework kits, used, possessed, stored, manufactured, or transported by any person who does not possess a valid permit authorizing any activity listed in this part. H.S.C. 12722
10. Any fireworks stored or sold in any public garage or public oil station, or on any premises where gasoline or any other Class 1 flammable liquids are stored or dispensed. H.S.C. 12722
11. Any fireworks still possessed by a person who has just thrown any ignited fireworks at any person or group of persons.
12. Any model rocket engines, or model rockets with engines, possessed by any person not holding a valid permit. H.S.C. 12722
13. Any emergency signaling device sold, offered for sale, or used which does not bear the State Fire Marshal label or registration as required by this part. H.S.C. 12722
14. Any fireworks or pyrotechnic device offered for sale by any person violating any provision of this part. H.S.C. 12722

APPENDIX

"Dangerous fireworks" includes all of the following:

A. Any fireworks which contain any of the following:

1. Arsenic sulfide, arsenates, or arsenites
2. Boron
3. Chlorates, except:
 - a. In colored smoke mixture in which an equal or greater amount of sodium bicarbonate is included.
 - b. In caps and party poppers
 - c. In those small items (such as ground spinners) wherein the total powder content does not exceed 4 grams of which not greater than 15 percent (or 600 milligrams) is potassium, sodium, or barium chlorate.
4. Gallates or Gallic Acid
5. Magnesium (magnesium-aluminum alloys, called magnalium, are permitted)
6. Mercury salts
7. Phosphorous (red or white except that red phosphorus is permissible in caps and party poppers)
8. Picrates or picric acid
9. Thiocyanates
10. Titanium, except in particle size greater than 100-mesh
11. Zirconium

B. Firecrackers

- C. Skyrockets and rockets, including all devices which employ any combustible or explosive material and which rise in the air during discharge.
- D. Roman candles, including all devices which discharge balls of fire into the air.
- E. Chasers, including all devices which dart or travel about the surface of the ground during discharge.
- F. Sparklers more than 10 inches in length or one-fourth of one inch in diameter.
- G. All fireworks designed and intended by the manufacturer to create the element of surprise upon the user. These items include, but are not limited to, auto-foolers, cigarette loads, exploding golf balls, and trick matches.
- H. Fireworks known as devil-on-the-walk, or any other firework which explodes through means of friction, unless otherwise classified by the State Fire Marshal pursuant to this part.
- I. All varieties of torpedoes, which explode on impact.
- J. Fireworks kits
- K. Such other fireworks examined and tested by the State Fire Marshal and determined by him, with the advice of the State Board of Fire Services, to possess characteristics of design or construction which make such fireworks unsafe for use by any person not specially qualified or trained in the use of fireworks. CA H.S.C. 12505